

Response to First Office Action
Docket No. 020.0339.US.CONREMARKS

Claims 1-81 are pending and remain in the application. Claims 1, 3, 12, 14, 23, 25, 31, 32, 47, 48, 63, 75, 78, and 81 have been amended. No new matter has been introduced.

5 The specification stands subject to objection for improper antecedent basis. The specification has been amended per the Examiner's suggestions. In addition, Claims 1, 12, 23, 31, 47, 63, 75, 78, and 81 have been amended to remove the limitation for "absence" of CHF. Withdrawal of the objection is respectfully requested.

10 Claims 3, 4, 14, 15, 25, 26, 32, 48, and 49 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 3, 4, 14, 15, 25, 26, 32, 48, and 49 have been amended per the Examiner's suggestions. Withdrawal of the rejection for indefiniteness is requested.

15 Claims 1-81 stand rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1-81 of commonly-assigned U.S. Patent No. 6,336,903, issued January 8, 2002. A Terminal Disclaimer is enclosed. Withdrawal of the rejection for double-patenting is respectfully requested.

20 Claims 1-81 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1, 3-11, and 13-21 of co-pending U.S. Patent Application, Serial No. 10/042,402, filed on January 7, 2002, which issued as U.S. Patent No. 6,811,537 on November 2, 2004. A Terminal Disclaimer is enclosed. Withdrawal of the rejection for double-patenting is respectfully requested.

25 The prior art made of record and not relied upon has been reviewed by the applicant and is considered to be no more pertinent than the prior art references already applied.

30 Claims 1-81 are believed to be in condition for allowance. Entry of the foregoing amendments is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Response to First Office Action
Docket No. 020.0339.US.CON

Respectfully submitted,

5 Dated: November 22, 2004

By: 
Patrick J.S. Inouye, Esq.
Reg. No. 40,29710 Law Offices of Patrick J.S. Inouye
810 Third Avenue, Suite 258
Seattle, WA 98104Telephone: (206) 381-3900
Facsimile: (206) 381-3999

15 OA Response